

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MARIE L. CAVENAILE,

Plaintiff,

v.

THE PURDUE PHARMA COMPANY, et al.,

Defendant.

Case No.: 3:04 cv 401 DRH

ORDER

This matter is before the Court on the Motion to Amend filed by the plaintiff, Marie Cavenaile on April 13, 2005. The motion is **GRANTED** (Doc. 43) .

Federal Rule of Civil Procedure 15(a) provides that a party may amend a pleading and that leave to amend “shall be freely given when justice so requires.” However, leave to amend may be denied if there is “undue delay, bad faith, dilatory motive, prejudice, or futility.” Guise v. BWM Mortgage, LLC., 377 F.3d 795, 801 (7th Cir. 2004). The granting or denying of a motion to amend is reviewed for an abuse of discretion. Butts v. Aurora Health Care, Inc., 387 F.3d 921, 925 (7th Cir. 2004). The amended complaint makes no substantive changes other than the addition of a punitive damages claim.

Therefore, the plaintiff shall file her amended complaint by April 27, 2005.

DATED: April 25, 2005.

s/ Donald G. Wilkerson
DONALD G. WILKERSON
United States Magistrate Judge